

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MARYLAND GENERAL HOSPITAL, INC. :
d/b/a TRANSITIONAL CARE CENTER :
v. : Civil Action WMN-00-221
TOMMY G. THOMPSON, SECRETARY OF :
THE UNITED STATES DEPT. OF :
HEALTH AND HUMAN SERVICES :

ORDER

On October 9, 2002, the Fourth Circuit Court of Appeals issued a decision reversing this Court's order granting summary judgment in favor of Defendant, and ordering this action remanded to this Court for entry of judgment in favor of Plaintiff. Defendant's petition for rehearing has been denied and the mandate issued on January 21, 2003. Accordingly, IT IS this **23rd** day of January 2003, by the United States District Court for the District of Maryland, ORDERED:

1. That judgment is entered in favor of Plaintiff and against Defendant;

2. That this case is remanded to the Secretary of Health and Human Services with instructions that the Secretary reimburse Plaintiff as a new provider of skilled nursing, exempt from the routine cost limits, and that Defendant pay Plaintiff consistent with new provider status, with interest on the additional reimbursement payments resulting from this Order, pursuant to 42 U.S.C. § 1395oo(f)(2);

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3. That the Clerk of the Court shall mail copies of this Order to all counsel of record.

A handwritten signature in black ink, appearing to read 'William M. Nickerson', written over a horizontal line.

William M. Nickerson
Senior United States District Judge